

### **SUMMARY**

This is a Supplemental Amendment following to an Examiner Interview teleconference on March 13, 2007.

In this Supplemental Amendment, all existing claims are cancelled and new claims 37 to 70 are added.

### **EXAMINER'S INTERVIEW**

As a preliminary matter, Applicants and their representative wish to thank the Examiner for the courtesy extended during the March 13, 2007 Examiner Interview. Applicants appreciate the Examiner's well-articulated position and the constructive discussion and suggestions on moving this application towards allowance.

### **PROCEDURAL HISTORY**

The current application is under Appeal with Applicants having filed and Appeal Brief addressing the Patent Office's contentions that the claims in this application were obvious.

The Examiner Interview on March 13, 2007 was conducted in an endeavor to obtain allowance before commencing the full Appeal process. Agreement was reached. Their Amendment follows.

### **AMENDMENTS**

As is apparent from the Applicants' Appeal Brief, Applicants do not agree with the USPTO's position that the claims on Appeal are not patentable. Despite this disagreement, Applicant's have cancelled all claims and have submitted new claims which the Examiner has verbally indicated as allowable.

All independent claims now contain a limitation to keeping track of the communication capabilities of at least one communication device and having communication established based on the communication capabilities of the device. Certain dependant claims further reflect that this tracking could be done at one or more network servers.

Importantly, applicants wish to stress that while claim elements, including the limitations identified above, in the newly submitted claims may appear to have certain features in common with claims previously on file or issued in previous related patents, Applicants do not intend any limitations from those limitations or any comments made about those claims to be imported into or applied to the claims presented here and Applicants request that the Examiner does not consider any such limitations and/or comments on file when reviewing these claims.

### **CONCLUSION**

Applicants submit that there is no prior art of record that teaches all the claim limitations. Similarly, Applicants submit that it is not obvious to combine any of the prior art of record to achieve the claimed invention.

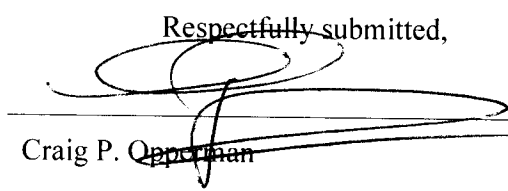
Applicants therefore respectfully submit that all pending claims define subject matter that is patentable. Their allowance is respectfully requested as soon as possible.

In view of the above allowance of this application is now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below or Craig Opperman at 650-843-7504.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 50-0310 (order no. 063330-5008-US). Please also credit any overpayments to said Deposit Account.

Date: March 15, 2007

Respectfully submitted,

  
Craig P. Opperman

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37,078)